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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/020,973	12/19/2001	Wen-Yung Huang	4425-234 1180		
7590 12/30/2005			EXAMINER		
LOWE HAUPTMAN GILMAN & BERNER, LLP			LEE, CHE	LEE, CHEUKFAN	
Suite 310	Pond		ART UNIT	PAPER NUMBER	
1700 Diagonal Road Alexandria, VA 22314			2627		

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<i>V</i>		Application No.	Applicant(s)		
Office Action Summary		10/020,973	HUANG, WEN-YUNG		
		Examiner	Art Unit		
		Cheukfan Lee	2627		
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
WHICHEVER I - Extensions of time after SIX (6) MON' - If NO period for replaid to replay with Any replay received	D STATUTORY PERIOD FOR REPL'S LONGER, FROM THE MAILING DAMAGE AND A STATE OF THE MAILING DAMAGE AND A STATE	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDON	ON. timely filed om the mailing date of this communication. NED (35 U.S.C. § 133).		
Status					
1)⊠ Respons	ive to communication(s) filed on 19 D	<u>ecember 2001</u> .			
<i>-</i> —	This action is FINAL . 2b)⊠ This action is non-final.				
· ·	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Cla	ims				
4a) Of the 5) ☐ Claim(s) 6) ☑ Claim(s) 7) ☐ Claim(s)	1-20 is/are pending in the application above claim(s) is/are withdraw is/are allowed. 1-20 is/are rejected is/are objected to are subject to restriction and/o	wn from consideration.			
Application Paper	"S				
10)⊠ The draw Applicant Replacem	ification is objected to by the Examine ing(s) filed on <u>19 December 2005</u> is/a may not request that any objection to the nent drawing sheet(s) including the correct or declaration is objected to by the Ex	re: a) \square accepted or b) \square objed drawing(s) be held in abeyance. Solution is required if the drawing(s) is α	see 37 CFR 1.85(a). objected to. See 37 CFR 1.121(d).		
Priority under 35	U.S.C. § 119				
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
·	erson's Patent Drawing Review (PTO-948) osure Statement(s) (PTO-1449 or PTO/SB/08)	4) Interview Summa Paper No(s)/Mail 5) Notice of Informa 6) Other:			

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1. Claims 1-20 are pending. Claims 1 and 13 are independent.

2. The disclosure is objected to because of the following informalities:

Page 9, lines 17-18, "the user must intends to" should be changed to – the user must intend to --.

Appropriate correction is required.

3. The specification is objected to as being not enabling. The specification does not reasonably provide enablement for the method step of scanning the scan area, after removing a portion of the framed area beyond the confined area to transform the framed area into the scan area.

As described in the specification on page in reference to invention Figs. 2C and 2E, the scan area is obtained "by ways of automatically removing a portion of the framed area beyond the confined area" (page 8, lines 26-28, block 24 of Fig. 2A), "the present invention can further define that only the object ... which is entirely within the framed area is preserved, and other objects are removed from the framed area if only parts of the objects are within the framed area" (page 9, lines 23-26). Figs. 2C and 2E (and prior art Fig. 1F) clear show that the scan area, after removal of other portion(s) or object(s) as described above, has an irregular shape.

Description for the step of scanning the scan area is on page 9, lines 5-7 (block 25 of Fig. 2A) and page 11, lines 12-15 (block 34 of Fig. 3). Without detail description on how the scanning step is perform to scan a scan area having such an irregular

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shape, the specification does not provide adequate support for the scanning step to enable one skilled in the art to make and/or use the invention. Even with the description of "at least one parameter inputted by the user can be received, then, the scan area is scanned responsive to the parameters" on page 9, lines 6-7 and page 11, lines 13-15, the support is still not adequate because it is unknown how the scan area is scanned responsive to the parameters.

The step of scanning the scan area is recited in claims 1, 10, 13, and 17.

4. Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 1-19 claim the step of scanning the scan area, adequate support of which is not provided in the specification. Please refer to the objection of the specification addressed in section 3 above.

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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6. Claims 1, 13 and 20, insofar as the claims are understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of well known art.

Regarding claims 1, 13 and 20, Applicant's prior art method and scanner comprises all steps claimed, except for the step of "removing a portion of said framed area beyond said confined area to transform said area into said scan area". Please refer to prior art Figs. 1A, 1E and 1F, page 1, lines 15-27 and page 2, lines 13-23. However, such step is not novel. The examiner took Official Notice of the fact that such step is well known in the art of image processing and editing using a displayed preview image. It would have been obvious to one of ordinary skill in the art at the time the invention was made to removed the unwanted portion(s) within a framed area as is known in the art in order to keep only the image in a desired area.

Please note that the components of the scanner of claim 20 are inherently included in Applicant's admitted prior art scanner (page 1, lines 15-27 and page 2, lines 13-23).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Amemiya et al. (U.S. Patent No. 5,970,183)

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee December 19, 2005 Check fan lee